

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

KIMBERLY STARLING,

Plaintiff,

v.

No. 4:24-cv-00917-P

MARA DAY SPA LLC,

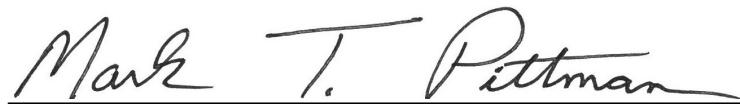
Defendant.

ORDER

On November 20, 2024, the Court ordered Defendants to file the entry of appearance of local counsel satisfying the requirements of Local Rule 83.10(a). ECF No. 13. As that Order explained, a limited liability company cannot appear pro se. *Memon v. Allied Domecq QSR*, 385 F.3d 871, 873 (5th Cir. 2004). In Defendants' Original Answer (ECF No. 12), Defendant Ledinara Pinney purported to sign her name as president of Defendant Mara Day Spa, LLC ("Mara Day Spa"). Because she is not a licensed attorney, Ms. Pinney's signature is not effective, and the Original Answer must be stricken from the record as to Mara Day Spa. See *Travelhost, Inc. v. Modglin*, No. 3:11-cv-0456-G, 2012 WL 612544, at *3 (N.D. Tex. Feb. 27, 2012) (striking response to motion because it was signed by pro se party on LLC's behalf). The Answer will remain on file as to Defendants Ledinara Pinney and Gregory Smith.

Accordingly, the Court **STRIKES** from the record the signature block in the Original Answer purportedly belonging to Mara Day Spa. Because Mara Day Spa no longer has a timely answer on file, the Court **ORDERS** Plaintiff to move for clerk's entry of default against Mara Day Spa **on or before Monday, January 13, 2025**. Otherwise, the Court may dismiss Plaintiff's action under Rule 41(b) for failure to prosecute. FED. R. CIV. P. 41(b).

SO ORDERED on this 30th day of December 2024.



Mark T. Pittman
UNITED STATES DISTRICT JUDGE